

Tesa 687-WCG  
3162-St-sti

#11/B  
K/O  
1-28-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Deiter Wenninger, et. al.  
Serial No. : 09/750,984  
Filed : December 28, 2000  
For : ADHESIVE TAPE FOR DETECTING UNAUTHORIZED  
BROACHING OF A PACKAGE  
Art Unit : 1771  
Examiner : Daniel R. Zirker

---

November 26, 2002

Hon. Assistant Commissioner for Patents  
Washington, D.C. 20231

AMENDMENT UNDER 37 C.F.R. 1.111

Sir:

In response to the Office Action dated June 27, 2002, the Examiner is respectfully requested to enter the following amendments and consider the following remarks:

IN THE SPECIFICATION

Page 1, after the first paragraph of text and before the second paragraph of text,  
please insert:

✓--Background of the invention--.

**NORRIS MCLAUGHLIN & MARCUS, PA**

ATTORNEYS AT LAW

220 EAST 42ND STREET

30TH FLOOR

NEW YORK, NY 10017

(212) 808-0700

FAX: (212) 808-0844

WWW.NMMLAW.COM

NEW JERSEY OFFICE

P.O. BOX 1018

SOMERVILLE, NJ 08876-1018

tesa 687-WCG

**TELEFAX TRANSMITTAL COVER SHEET**

DATE: January 23, 2003

TIME: 10:00 AM

NO. OF PAGES 16  
(including this page)

**PLEASE DELIVER THE FOLLOWING PAGES TO:**

NAME: Examiner Terrel Morris (for Examiner Zirker)

REFERENCE: Serial No. 09/750,984

TELEFAX: (703) 703-872-9381

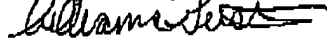
TRANSMITTED FROM: **William C. Gerstenzang**

Telefax No.: (212) 808-0844

Telephone: (212) 808-0700

**COMMENTS:** Mr. Morris: Examiner Zirker called to let me know that he has not received our response to the most recent office action. Enclosed for him is a copy of the response that we faxed on November 26, 2002, together with copies of the PTO's own fax acknowledgment and our own fax confirmation. The response also bears a fax certification. **Mr. Zirker is holding the file in his office.** Please let me know if anything else is required.

Respectfully,



William C. Gerstenzang

Reg 27,552

**IF THIS TRANSMISSION IS NOT COMPLETE, PLEASE CALL (212) 808-0700**

11/26/02 11:32:54

USPTO-&gt;

212 808 0844 RightFAX

Page 001

TO:Auto-reply fax to +2128080844 COMPANY:

## Auto-Reply Facsimile Transmission



UNITED STATES  
PATENT AND  
TRADEMARK OFFICE

TO:

Fax Sender at +2128080844

Fax Information

Date Received:

Total Pages:

11/26/02 11:26:27 AM [Eastern Standard Time]  
13 (including cover page)

**ADVISORY:** This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMPE) section 306 et seq.

Received  
Cover  
Page

=====&gt;

Nov-26-02 11:34:10 From:Norris McLaughlin &amp; Marcus +212 808 0844 T-274 P.001/013 F-155

### FACSIMILE COVER SHEET

NORRIS MCLAUGHLIN & MARCUS, P.A.  
220 East 42<sup>nd</sup> Street  
30<sup>th</sup> Floor  
New York, New York 10017  
Tel.: (212) 808-0700  
Fax.: (212) 808-0844

Date: November 24, 2002  
To: Examiner Daniel Zilber  
US Patent and Trademark Office  
Fax: 703-872-9310  
Subject: USPN 09/750,984  
Our Ref.: vss AG 687-WCG  
From: William C. Gassenberg  
Comments: Attached is an Amendment under 37 CFR Rule 1.111 (10 pgs.); Petition For  
Extension of Time (2 pgs.)

If you have any questions or need further information, please contact us.

You should receive 13 pages including this cover sheet.

The information contained in this facsimile message is intended only for the personal and confidential use of the recipient(s) named above. This message may be an attorney-client communication and as such is privileged and confidential. If the reader of this message is not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, distribution, or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately at the number above and destroy the original message.

Received from &lt;+2128080844&gt; at 11/26/02 11:26:27 AM [Eastern Standard Time]

Received from &lt;212 808 0844&gt; at 1/23/03 9:55:44 AM [Eastern Standard Time]

*alm*

UNITED STATES PATENT AND TRADEMARK OFFICE

MAILED

MAY 16 2000

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

PAT. & TM. OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

Ex parte FRANCOISE M. WINNIK, BARKEV KEOSHKERIAN,  
RAYMOND W. WONG, STEPHAN DRAPPEL, MELVIN D. CROUCHER,  
JAMES D. MAYO and PETER G. HOFSTRA

Appeal No. 1997-4347  
Application No. 08/296,765

ORDER REMANDING TO EXAMINER

Appellants filed an Appeal Brief on December 11, 1996 (Paper No. 11). An Examiner's Answer was entered on March 13, 1997 (Paper No. 13). On page 3 of the Answer, the examiner states in section (8) that "[t]he copy of the appealed claims contained in the Appendix to the brief is correct." However, an examination of the Appendix of claims to the Appeal Brief reveals that claim 22 contains substantial errors as follows:

Claim 22, lines 8-10: After "agent," delete "said ink having a viscosity" and replace with "--wherein the resulting ink has a viscosity.--"

Appeal No. 1997-4347  
Application No. 08/296,765

Accordingly, it is

ORDERED that this application is remanded to the examiner to notify appellants in writing to submit a corrected copy of the claims on appeal, or for the examiner to submit a corrected copy of the claims on appeal, and for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By: 

DALE M. SHAW

Program and Resource Administrator  
(703) 308-9797

DMS:clm